

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

THOMAS L. TERRY,	)	
	)	
Petitioner,	)	Civil Action No. 09-1068
	)	
v.	)	Judge Ambrose
	)	Magistrate Judge Bissoon
SUPERINTENDENT HARLOW,	)	
	)	
Respondent.	)	

MEMORANDUM ORDER

Thomas L. Terry's Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2254 was received by the Clerk of Court on August 12, 2009, and was referred to United States Magistrate Judge Cathy Bissoon for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. §§ 636(b)(1)(A) and (B), and Rules 72.C and 72.D of the Local Rules for Magistrates.

The Magistrate Judge's Report and Recommendation, filed on August 25, 2009, recommended that the Petition for Writ of Habeas Corpus filed by Petitioner Terry be dismissed as a successive petition. The parties were allowed ten days from the date of service to file objections. Terry filed objections on September 11, 2009 (Doc. 6).

After de novo review of the pleadings and documents in the case, together with the Report and Recommendation and the objections thereto, the following order is entered:

AND NOW, this 5<sup>th</sup> day of Oct., 2009,

IT IS HEREBY ORDERED that the Petition for Writ of Habeas

Corpus filed by Thomas L. Terry is dismissed, and a certificate of appealability is denied.

The Report and Recommendation of Magistrate Judge Bissoon (Doc. 5) dated August 25, 2009, is adopted as the opinion of the court.



s/Donetta Ambrose

Donetta Ambrose

United States District Court Judge

CC:  
THOMAS L. TERRY EJ-2540  
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